

1 GEORGE J. ZISER, SB# 51879

E-Mail: ziser@lbbslaw.com

2 ALEX GRAFT, SB# 239647

E-Mail: graft@lbbslaw.com

3 **LEWIS BRISBOIS BISGAARD & SMITH LLP**

One Sansome Street, Suite 1400

4 San Francisco, California 94104

Telephone: (415) 362-2580

5 Facsimile: (415) 434-0882

E-filed 1/15/08**

6 Attorneys for Defendant

CHANNING HOUSE

7

8

UNITED STATES DISTRICT COURT

9

NORTHERN DISTRICT OF CALIFORNIA

10

SAN JOSE DIVISION

11

12

SALLY HERRIOT,

) CASE NO. C06-06323 JF

13

Plaintiff,

)

14

v.

)

**STIPULATION AND [PROPOSED] ORDER
CONTINUING DISPOSITIVE MOTION
CUT OFF**

15

CHANNING HOUSE,

)

16

Defendant.

)

ACTION FILED: October 10, 2006
TRIAL DATE: April 18, 2008

17

18

19

20

TO THIS HONORABLE COURT, PLAINTIFF AND HER ATTORNEYS OF RECORD:

21

SUBJECT TO COURT APPROVAL, defendant CHANNING HOUSE, and plaintiff

22

SALLY HERRIOT, through its attorneys of records, (collectively, "the Parties") **HEREBY**

23

STIPULATE AS FOLLOWS:

24

WHEREAS, on April 20, 2007, this Honorable Court adopted the schedule of the Parties

25

as set forth in the Joint Case Management Statement filed on April 10, 2007. Said schedule set a

26

deadline for hearings on dispositive motions on January 31, 2008.

27

WHEREAS, the Parties intended to file dispositive motions in this matter on or before

28

December 21, 2007, which would have allowed sufficient notice time to set the hearing on said

dispositive motions within the dispositive motion deadline set forth in the Parties Joint Case Management Statement.

WHEREAS, defendant CHANNING HOUSE, through its attorneys of record, was informed that no hearing date for dispositive motions was available within the January 31, 2008 deadline for hearings on dispositive motions set forth in the Parties Joint Case Management Statement.


WHEREAS, defendant CHANNING HOUSE, through its attorneys of record, was informed on December 19, 2007 that the first available date for hearing on dispositive motions in this matter is February 8, 2008.

Based upon the foregoing, the Parties hereto STIPULATE that, pursuant to this Honorable Court's approval, the deadline for hearing of dispositive motions shall be extended to February 8, 2008. The Parties shall notice dispositive motions in accordance with the Court's Local Rules.

The Parties FURTHER STIPULATE that, pursuant to this Honorable Court's approval, opening briefs on dispositive motions shall not exceed 35 pages, which is an increase to the page limit for opening briefs set forth in Local Rule 7-2(b).

DATED: December 20, 2007

LEWIS BRISBOIS BISGAARD & SMITH LLP

By 

Alex A. Graft
Attorneys for Defendant
CHANNING HOUSE

DATED: December 20, 2007

RELMAN & DANE, PLLC

By 

Michael Allen
Attorneys for Plaintiff
SALLY HERRIOT

ORDER

Having considered the foregoing Stipulation, **IT IS HEREBY ORDERED** as follows:

1. The deadline for hearing on dispositive motions shall be extended to February 8, 2008. The Parties shall notice dispositive motions in accordance with the Court's Local Rules.
2. Opening briefs on dispositive motions shall not exceed 35 pages.

Dated: 1/15/08


Hon. JEREMY FOGEL

1 RE: **Herriot v. Channing House**
2 VENUE: USDC, Northern District, San Jose Division
3 CASE NO.: C06-06323 JF

4 **CERTIFICATE OF SERVICE**

5 STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

6 I am employed in the County of San Francisco, State of California. I am over
7 the age of 18 and not a party to the within action. My business address is One
8 Sansome Street, Suite 1400, San Francisco, California 94104.

9 On December 20, 2007, I served the following document described as

10 **STIPULATION AND [PROPOSED] ORDER CONTINUING DISPOSITIVE
11 MOTION CUT OFF**

12 on all interested parties in this action by placing ☒ a true copy ☐ the original
13 thereof enclosed in sealed envelopes addressed as follows:

14 **Attorneys for Plaintiff**

15 Susan Ann Silverstein
16 AARP Foundation Litigation
17 601 E. Street, NW, Rm. A4-140
18 Washington, DC 20049
19 T: 202/434-2159; F: 202/434-6424
20 Email: Ssilverstein@aarp.org

21 **Co-Counsel for Channing House**

22 Paul A. Gordon
23 James Napoli
24 Hanson Bridgett Marcus Vlahos &
25 Rudy
26 425 Market Street, 26th Floor
27 San Francisco, CA 94105
28 T: 415/995-5014
E-mail: pgordon@hansonbridgett.com
T: 415/995-5060
E-mail: jnapoli@hansonbridgett.com
F: 415/541-9366

29 **Attorneys for Plaintiff**

30 Michael Allen
31 Relman & Associates LLC
32 1225 19th Street, NW, Suite 600
33 Washington, DC 20036
34 T: 202/728-1888; F: 202/728-0848
35 Email: mallen@relmanlaw.com

36 **Attorneys for Plaintiff**

37 Kerstin Arusha
38 Law Foundation of Silicon Valley
39 111 W. St. John Street, Suite 315
40 San Jose, CA 95113
41 T: 408/280-2412; F: 408/293-0106
42 Email: kerstina@lawfoundation.org

43 ☒ (BY MAIL, 1013a, 2015.5 C.C.P.)

44 ☐ I deposited such envelope in the mail at San Francisco, California. The
45 envelope was mailed with postage thereon fully prepaid.

46 ☒ I am readily familiar with the firm's practice for collection and
47 processing correspondence for mailing. Under that practice, this document will be
48 deposited with the U.S. Postal Service on this date with postage thereon fully
49 prepaid at San Francisco, California in the ordinary course of business. I am aware
50 that on motion of the party served, service is presumed invalid if postal cancellation
51 date or postage meter date is more than one day after date of deposit for mailing in
52 affidavit.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[X] (FEDERAL) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on December 20, 2007, at San Francisco, California.


Marsha L. Church